UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
08 MAR 24
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES OF AMERICA, Plaintiff,	Magistrate Docket No. 08 MJ 0903
v.	COMPLAINT FOR VIOLATION OF:
Guadalupe SORIANO-Sanchez, Defendant	Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **March 21, 2008** within the Southern District of California, defendant, **Guadalupe SORIANO-Sanchez,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **24th** DAY OF **MARCH, 2008.**

William McCurine,Jr.
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Guadalupe SORIANO-Sanchez

PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

On March 21, 2008, Border Patrol Agent V. Campos was performing Border Patrol duties in an area known as "White Cross." At approximately 8:15 a.m., Dispatch advised via Bureau radio of a seismic intrusion device activation near an area known as "Wild Bills." This area is located approximately 4 miles east of the Otay Mesa, California Port of Entry and approximately 2 miles north of the United States/Mexico International boundary.

Agent Campos and Agent Looney immediately responded to the area and observed approximately nine individuals sitting down, as if they were resting. Agent Campos and Agent Looney waited a couple of hours and noticed that the group was still sitting in the same area. Agent Campos and Agent Looney hiked down towards the group and encountered eight individuals. Agent Campos and Agent Looney identified themselves as United States Border Patrol Agents. The Agents noticed on individual was missing from the group initially observed so they thoroughly searched the area. Agent Campos noticed on individual, later identified as the defendant **Guadalupe SORIANO-Sanchez**, attempting to conceal himself behind a large boulder. Agent Campos approached the defendant and identified himself as a United States Border Patrol Agent. Agent Campos then instructed the defendant to come out and join the other eight individuals. Agent Campos then asked the defendant and the other eight individuals of what country they were citizens and nationals of. The defendant and the other eight individuals stated, "Mexico." Agent Campos then asked the defendant and the other eight individuals if they possessed any proper immigration documents allowing them to enter or remain in the United States legally. The defendant and the other eight individuals replied, "No." At approximately 11:45 a.m., Agent Campos placed the defendant and the other eight individuals under arrest and made arrangements to have them transported to the Chula Vista Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **March 17, 2008** through **San Ysidro, California.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda Warnings and stated that he understood them and was willing to speak without the presence of an attorney. The defendant admitted to being a citizen of Mexico without any immigration documents allowing him to be in the United States legally. He further admitted to having been previously deported and that he has never applied for permission to re-enter the United States prior to his entry.

CONTINUATION OF COMPLAINT:
Guadalupe SORIANO-Sanchez

Executed on March 23, 2008 at 9:00 am.

Carlos R. Chavez
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of **1** page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on **March 21, 2008**, in violation of Title **8**, United States Code, Section **1326**.

William McCurine, Jr.
United States Magistrate Judge

3/23/08, 0955hrs